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proposed Class Members*

28 **UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

29 JAMES CASE, individually, on behalf of
30 other similarly situated individuals, and on
31 behalf of the general public,

32 Plaintiff,

33 v.

34 THE HERTZ CORPORATION,

35 Defendant.

36 Case No.:5:15-cv-02707-BLF

37 **STIPULATION AND [PROPOSED]
38 ORDER VACATING CONTINUING
39 THE CASE MANAGEMENT
40 CONFERENCE AND SETTING
41 BRIEFING SCHEDULE**

42 Judge: Hon. Beth Labson Freeman

43 STIPULATION AND [PROPOSED] ORDER VACATING THE PROPOSED ORDER AND
44 SETTING BRIEFING SCHEDULE
45 Case No. 5:15-cv-02707-BLF

1 WHEREAS, the parties agree to vacate the Case Management Conference in this
2 matter, which is scheduled for July 28, 2016, at 11:00 a.m. (ECF No. 68);

3 WHEREAS, Plaintiff wishes to file an amended complaint in this action following
4 the U.S. Supreme Court's decision in *Spokeo, Inc. v. Robins*, 136 S. Ct. 1540 (2016);

5 WHEREAS, Plaintiff has provided Defendant a redlined copy of a proposed
6 amended Complaint;

7 WHEREAS, Defendant consents to Plaintiff filing such an amended complaint
8 without waiving its right to challenge any factual or legal contention therein;

9 WHEREAS, Plaintiff agrees to file an amended Complaint by July 15, 2016;

10 WHEREAS, Defendant agrees to file its response to the amended Complaint by
11 August 18, 2016;

12 WHEREAS, should Defendant file a motion in response to the amended
13 Complaint, Plaintiff agrees to file his opposition to such motion by September 8, 2016;

14 WHEREAS, Defendant agrees to reply to Plaintiff's opposition by September 22,
15 2016;

16 THEREFORE, the parties jointly request that the Case Management Conference
17 be vacated and this briefing schedule be adopted by the Court.

18 IT IS SO STIPULATED.

19 Dated: July 14, 2016

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21 By: /s/ Jahan C. Sagafi

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16 ATTORNEYS FOR PLAINTIFF AND
17 PROPOSED CLASS MEMBERS
18

19 Dated: July 14, 2016

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22 By: /s/ Robert A. Dolinko
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ATTORNEYS FOR DEFENDANT

ORDER

Pursuant to the Stipulation of the parties, the ~~initial~~ Case Management Conference in the above-captioned action is ~~vacated~~ continued to November 17, 2016 and the briefing schedule set forth in the Stipulation is adopted.

It is SO ORDERED.

Dated: July 15, 2016

Hon. Beth Labson Freeman
UNITED STATES DISTRICT JUDGE

ECF ATTESTATION

2 I, Jahan C. Sagafi, am the ECF User whose ID and password are being used to file
3 the foregoing STIPULATION AND [PROPOSED] ORDER VACATING THE CASE
4 MANAGEMENT CONFERENCE AND SETTING BRIEFING SCHEDULE. In
5 compliance with Local Rule 5-1(i)(3), I hereby attest that Defendant's counsel, Robert A.
6 Dolinko, has concurred in this filing.

7 || Date: July 14, 2016

/s/ Jahan C. Sagafi

Jahan C. Sagafi